

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:10CV625

MARSHALL MCNEIL, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 LEWIS SMITH, )  
 )  
 Respondent. )  
 \_\_\_\_\_ )

**ORDER**

**THIS MATTER** comes before the Court upon Petitioner's amended Application to Proceed In District Court Without Prepaying Fees or Costs, filed December 14, 2010. (Doc. No. 8).

A Petition for a Writ of Habeas Corpus requires a filing fee of \$5.00. After reviewing the amended Application, which includes a copy of Petitioner's trust account statement reflecting a current balance of \$0.00 and deposits of \$75.00 over a seven month period, the Court finds that Petitioner is unable to pay the filing fee and his Application is GRANTED.

**NOW, THEREFORE, IT IS ORDERED** that Plaintiff's Application is **GRANTED**.

Signed: December 28, 2010



Robert J. Conrad, Jr.  
Chief United States District Judge

